



## **Request for City Council Committee Action from the Department of Intergovernmental Relations**

**Date:** February 27, 2014

**To:** Chair Elizabeth Glidden and Vice Chair Alondra Cano

**Referral to:** IGR Committee

**Subject:** Amendment to the 2014 City of Minneapolis State Legislative Agenda

**Recommendation:** Approve an amendment to the legislative agenda's City Livability support section (p. 12) add:

**"Inclusion of e-cigarettes in the Minnesota Clean Indoor Air Act (MCIAA) while preserving the ability of local governments to enact more restrictive ordinances."**

### **Department Information**

Prepared by: Melissa Lesch, Senior Government Relations Representative, IGR

Approved by: \_\_\_\_\_

Presenters in Committee: Melissa Lesch

### **Supporting Information**

E-cigarettes are defined as a tobacco product by Section 297F.01 of the Minnesota Statutes but are not included in the Minnesota Clean Indoor Air Act. The Health Department is requesting that the city support this action for the following reasons.

#### **E-cigarettes pose an unknown health risk.**

- The health impact of e-cigarettes on people who use them and people who are exposed to their vapor is unknown. Potentially harmful constituents have been documented in some e-cigarette liquid, including: irritants, genotoxins, and animal carcinogens.
- The public health community recommends use of the precautionary principle, which states that because of potentially high levels of nicotine and the presence of potentially harmful constituents, exposure to this product should be restricted unless its safety has been documented.

#### **Inclusion of e-cigarettes in the Minnesota Clean Indoor Air Act would create clarity and consistency**

- E-cigarettes are creating confusion and uncertainty for business owners and non-users. People are unsure if vaping is allowed in public places such as worksites, stores and restaurants and it can be difficult to discern the difference between a cigarette and an e-cigarette.

- Cities have been passing ordinances on an individual basis restricting the sale of e-cigarettes to minors and prohibiting their use in public places.

**Inclusion of e-cigarettes in the Minnesota Clean Indoor Air Act would have the broadest reach.**

- The Minneapolis Clean Indoor Air Ordinance prohibits smoking in bars, restaurants and bowling alleys. The Minnesota Clean Indoor Air Act restricts smoking all work places but it does not include e-cigarettes. Passage of a uniform state law is the most efficient, effective way to address e-cigarettes in all places that prohibit smoking.

**Minneapolis establishments support inclusion of e-cigarettes in clean indoor air laws.**

- The Health Department recently conducted a phone survey of managers from Minneapolis' bars, restaurants and coffee shops. A majority of respondents from a representative sample (7% of establishments) thought laws should be amended to prohibit the indoor use of e-cigarettes. Respondents cited a lack of information about e-cigarettes, the chemicals contained in them, the health risks of exposure to the vapor, and concern about nuisance to other customers, especially children. Several respondents also cited the benefits of having consistent laws regarding indoor smoking. Additional reasons for supporting laws included: individual establishments would not have to enact their own policies regarding e-cigarette use indoors, e-cigarettes could be used to hide drug use, and "cigarettes are cigarettes" regardless of whether they are tobacco or electronic.